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Gwenerva N. Williams
Typed or Printed Name of Person Sending Paper or Fee
Gwenerva N. Williams October 27, 2005
Signature Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: : Docket No.: 3924-0185
Antonio J. Vargas et al. : Confirmation No. 1734
Serial No.: 10/784,475 : Group Art Unit: 2831
Filed On: February 23, 2004 : Examiner: Angel R. Estrada

Hartford, Connecticut, October 27, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

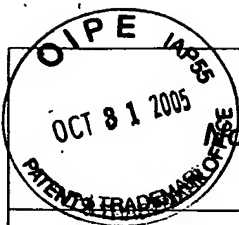
The Notice of Allowability, mailed October 4, 2005, indicates that Claims 1-36 are allowed in the above-identified application. It is noticed that the Examiner's Interview Summary (summarizing the interview of 9/26/05), mailed with the Notice of Allowability, appears to require the applicant to also summarize the interview between the undersigned attorney and Examiner Estrada. The undersigned attorney agrees that during the interview it was agreed that claim 1 would be amended.

Please charge Deposit Account No. 13-0235 for any deficiency in fees.

Respectfully submitted,

By *John C. Hilton*
John C. Hilton
Registration No. 22,965
Attorney for Applicants

McCormick, Paulding & Huber LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
(860) 549-5290



Notice of Allowability

Application No.

10/784,475

Examiner

Angel R. Estrada

Applicant(s)

VARGAS ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment After Final Filed on September 9, 2005.

2. ☒ The allowed claim(s) is/are 1 and 3-6.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 0905.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

RECEIVED

OCT - 6 2005

McCormick, Paulding & Huber



DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John C. Hilton on September 26, 2005.

IN THE CLAIMS

a) In claim 1 line 17, change "as plane defined" to --as defined--.

Allowable Subject Matter

2. Claims 1 and 3-6 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 1 and 3-6 are:

Regarding claims 1, 3 and 4, the prior art does not teach or fairly suggest in combination with the other claimed limitations of said device bracket having a generally flat portion intermediate said rearwardly bent flanges and laying in the same plane as defined by the adjacent spaced raceway cover segments.

Regarding claim 5, the prior art does not teach or fairly suggest in combination with the other claimed limitation a cover plate having rearwardly projecting flanges

receivable between said intumed flanges of said raceway base without interference with said device bracket.

Regarding claim 6, the prior art does not teach or fairly suggest in combination with the other claimed limitation said device bracket having inwardly spaced top and bottom edges to define slots between the device bracket and the raceway base intumed flanges, and a cover plate having inwardly formed flanges received in said slots, and said flanges formed for resiliently deforming said raceway base sidewalls to secure said cover plate between said intumed flanges of said raceway base.

These limitations are found in claims 1 and 3-6, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

3. Applicant's arguments filed on September 9, 2005 have been fully considered and are persuasive.

In response to the applicant's argument, the Examiner agrees that neither Borbolla (US 6,664,467) nor the cited prior art teach, disclose or suggest a device bracket having a generally flat portion intermediate said rearwardly bent flanges and lying in the same plane as defined by the adjacent spaced raceway cover segments.

Conclusion

4. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

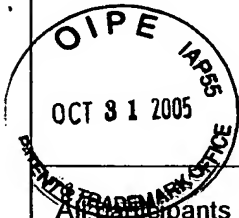
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 26, 2005


Angel R. Estrada
Patent Examiner
Art Unit: 2831



Interview Summary

Application No.

10/784,475

Applicant(s)

VARGAS ET AL.

Examiner

Angel R. Estrada

Art Unit

2831

All participants (applicant, applicant's representative, PTO personnel):

(1) Angel R. Estrada.

(3) _____.

(2) John C. Hylton.

(4) _____.

Date of Interview: 26 September 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: In claim 1 line 17, change "as plane defined" to --as defined--.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

MFC/JCH

DOCKET
FILE <u>3924-0185</u>
FOR <u>PL 10/26/05</u>
DATE <u>10/7/05</u> BY <u>mmd</u>

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required